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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,525	08/31/2000	Gregory L. Slaughter	5181-64700	4653
7590	02/25/2004		EXAMINER	
			NGUYEN, DANG T	
			ART UNIT	PAPER NUMBER
			2178	
DATE MAILED: 02/25/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/653,525	SLAUGHTER ET AL.
	Examiner Dang T Nguyen	Art Unit 2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 31 August 2000.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-41 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-41 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 31 August 2000 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>4-8</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

1. This action is responsive to communications: Application filed on 8/31/2000.
2. IDS filed on 08/31/2000.
3. Claims 1 - 41, are pending in this case. Claims 1, 15, and 28 are independent claims.

### ***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 28 – 41 are rejected under 35 U.S.C. 101 since the claimed invention does not say that the “carrier medium” is computer readable medium. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1 – 41 are rejected under 35 U.S.C. 102(e) as being anticipated by Bruck et al., U.S. patent No. 6,268,856 B1 – filed Sep. 8, 1998.**

**Regarding independent claim 1,** Figs. 6 and 11, of Bruck et al. discloses a method comprising: accessing a first space (100) wherein the first space comprises a first network- addressable storage location (104), wherein information usable to access the first space is provided in an advertisement for the first space (109, Col.7 lines 39 - 47), wherein the advertisement for the first space comprises a first schema (102), and wherein the first schema specifies one or more messages (102, 106, 104, 109) usable to invoke functions of the first space (Col. 7 lines 29 - 33), requesting creation of a second space (110) by sending to the first space one of the messages (106) specified by the first schema (Col. 7 lines 51-54]); creating the second space in response to the requesting creation of the second space (110, page 7 line 63), wherein the second space comprises a second network-addressable storage location (WWW.URL.SITE2.COM), wherein information usable to access the second space is provided in an advertisement for the second space (116, 120), wherein the advertisement for the second space comprises a second schema (118, 122), and wherein the second schema specifies one or more messages(124, 109) usable to invoke functions of the second space (109, Col.7 lines 39 - 47); accessing the second space by sending to the second space one of the messages specified by the second schema (Col. 8 lines 29 - 35).

**Regarding dependent claim 2,** Bruck discloses wherein the accessing the first space and second space comprises sending information to the first space at a first

Uniform Resource Identifier (URI) and second space at second URI respectively (Figure 6 [104] "WWW.SITE1.COM, WWW.SITE2.COM").

**Regarding dependent claim 3,** Bruck discloses wherein the first space stores a first set of information [102] according to a storage model (Fig. 1 [12, 13]) and wherein the second space is operable to store a second set of information [118,122] according to the storage model (Fig. 5 [12, 13])

**Regarding dependent claim 4,** Bruck discloses wherein the second set of information is empty upon the creating the second space [114].

**Regarding dependent claim 5,** Bruck discloses wherein the creating the second space comprises allocating storage according to the storage model (Fig. 5 [12, 13]).

**Regarding dependent claim 6,** Bruck discloses wherein the first set of information is expressed in a data representation language (Col. 7 lines 8-10).

**Regarding dependent claim 7,** Bruck discloses wherein the first schema is expressed in a data representation language; and wherein the second schema is expressed in a data representation language (Col. 7 lines 8-10)

**Regarding dependent claim 8,** Bruck discloses wherein the data representation language comprises eXtensible Markup Language (XML), (Col. 7 line 15).

**Regarding dependent claim 9,** Fig. 6 of Bruck et al. further comprising: reading [SITE 1] a service advertisement stored in the first space [100], wherein the service advertisement comprises information which is usable to access and execute a service [109,102,104,106]; using the information in the service advertisement to execute the service; generating a set of results [118, 122] of the service in response to the executing

the service; and publishing the set of results of the service in the second space [120, 116]; wherein the requesting creation of the second space comprises requesting creation of the second space for storage of the set of results of the service (Fig. 5).

**Regarding dependent claim 10,** Bruck discloses wherein a first space (Fig. 6 [100]) service comprises a set of program instructions (Figs. 2, 8 - 11) which are computer-executable to provide the first space (Fig. 6 [100]); and wherein a second space (Fig. 6 [120]) service comprises the set of program instructions (Figs. 2, 8 - 11), wherein the set of program instructions are further computer-executable to provide the second space (Figs. 2, 8 - 11).

**Regarding dependent claim 11,** Bruck discloses wherein the accessing the first space (Fig. 6 [100]) comprises accessing the first space at a first address [WWW.SITE1.COM] to a storage facility (Fig. 1 [12]); wherein the creating the second space (Fig. 6 [120]) comprises creating a second address [WWW.SITE2.COM] to the storage facility (Fig. 1 [12]).

**Regarding dependent claim 12,** Fig.6 of Brucke et al., further discloses wherein the functions of the first space [100] comprise storing information [102, 106, 109, 104] in the first space and reading information from the first space [SITE 1]; and wherein the functions of the second space [120] comprise storing information [122, 124, 109] in the second space and reading information from the second space [SITE 2].

**Regarding dependent claim 13,** Bruck discloses wherein the second schema (Fig. 6 [122]) comprises the first schema (Fig. 6 [124] Col. 8 line 43).

**Regarding dependent claim 14,** Bruck discloses wherein the second schema (Fig. 6 [122]) comprises a portion of the first schema (Fig. 6 [124]).

**Regarding independent claim 15,** Figures 2 and 6 of Bruck disclose a system comprising: a client (Fig. 2); a first space which is communicatively coupled to the client (Col. 4 lines 12-24), wherein the first space (Fig. 6 [100]) comprises a first network-addressable (Fig. 6 [104]) storage location, wherein information usable to access the first space is provided in an advertisement for the first space (Fig. 6 [109] Col. 7 lines 39-47) wherein the advertisement for the first space comprises a first schema (Fig. 6 [102]), and wherein the first schema specifies one or more messages (Fig. 6 [102, 106, 104, 109]) usable to invoke functions of the first space (Col. 7 lines 29-33); wherein the client is operable to: access the first space (Fig. 2, Col. 4 lines 12-26); request creation of a second space (Fig. 6 [110]) by sending to the first space one of the messages (Fig. 6 [106]) specified in the first schema (Col. 7 lines 51-54), wherein the second space comprises a second network-addressable storage location (Fig. 6 [WWW.SITE2.COM]), wherein information usable to access the second space is provided in an advertisement for the second space (Fig. 6 [116,120]), wherein the advertisement for the second space comprises a second schema (Fig. 6 [118,122]), and wherein the second schema specifies one or more messages (Fig. 6 [124,109]) usable to invoke functions of the second space (Fig. 6 [109] Col. 7 lines 39-47); and access the second space by sending to the second space one of the messages specified by the second schema (Col. 8 lines 29-35).

**Regarding dependent claims 16-18,** recite a system which is equivalent to the method as recited in claims 2 - 4 and are similarly rejected, as above.

**Regarding dependent claims 19-21,** recite a system which is equivalent to the method as recited in claims 6 - 8 and are similarly rejected, as above.

**Regarding dependent claims 22,** Bruck discloses a service which is communicatively coupled to the client and to the first space (Fig. 2 Col. 4 lines 12-26); wherein the client is operable to read a service advertisement stored in the first space (Fig. 6 [SITE 1]), wherein the service advertisement comprises information which is usable to access and execute the service (Fig. 6 [109,102,104,106]); wherein the service is operable to: generate a set of results of executing the service (Fig. 6 [118,122]); create the second space (Fig. 6 [110]); and publish the set of results in the second space (Fig. 6 [116,120]).

**Regarding dependent claims 23-27,** recite a system which is equivalent to the method as recited in claims 10 - 14 and are similarly rejected, as above.

**Regarding independent claim 28,** recite a carrier medium comprising program instructions which is equivalent to the method as recited in claim 1 and is similarly rejected, as above.

**Regarding dependent claims 29-41,** recite the carrier medium which is equivalent to the method as recited in claims 2 - 14 and are similarly rejected, as above.

***Prior art***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wu                    Pub. No.: US 2003/0212759 A1    Pub. Date: Nov. 13, 2003

Vilcauskas, JR. et al.    Pub. No.: US 2002/0019834 A1    Pub. Date: Feb. 14, 2002

Gledje                Pub. No.: US 2002/0032771 A1    Pub. Date: Mar. 14, 2002

Blinn et al.          Patent No. US 6,484,150 B1        Date of Patent: Nov. 19, 2002

***Conclusion***

7. Any inquiry concerning this communication from the examiner should be directed to Dang Nguyen, who can be reached by telephone at (703) 305-1673. Normal contact times are M-F, 8-4:30.

Upon an unsuccessful attempt to contact the examiner, the examiner's supervisor, Stephen Hong, may be reached at (703) 308-5465.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist, whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Or faxed to:

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Art Unit: 2178

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(703) 746-7239 (for formal communications intended for entry)

or:

(703) 746-7238 (for after-final communications)

Hand-delivered responses should be brought to

Crystal Park II, 2121 Crystal Drive

Arlington, VA, Fourth Floor (receptionist).

Dang Nguyen 2/17/2004



STEPHEN S. HONG  
PRIMARY EXAMINER